

REMARKS

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-20 are pending. Claims 1-19 are amended, and claim 20 is added. Claims 1, 7, 8, 9, 10, 12, and 16 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Claim for Priority

It is gratefully acknowledged that the Examiner has recognized the Applicants' claim for foreign priority.

Drawings

Two sheets of revised formal drawings are submitted herewith, to remove the label "Conventional Art" from FIGS 4, 5A, and 5B. As indicated in the specification, for example pages 7-9, these figures describe the present invention, and were mistakenly labeled as "Conventional Art" when originally filed. This change corrects this error by eliminating the label "Conventional Art".

Revised Title

In response to the Examiner's objection, the title is revised to more accurately reflect the claimed subject matter.

Specification Amendments

The specification is amended merely to correct two minor typographical errors.

Rejection Under 35 U.S.C. §102(e) and §103(a)

Claims 1-5 and 7-19 stand rejected under 35 U.S.C. §102(e) as being anticipated by Cloutier (U.S. 5,966,387), and claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Cloutier. These rejections are respectfully traversed.

While not conceding the appropriateness of the Examiner's rejections, but merely to advance prosecution of the present application, independent method claims 1, 7, and 8, and independent apparatus claims 9, 10, 12, and 16 are amended herein to recite combinations of method steps and elements directed to methods and apparatuses for creating digital transport stream packets received from a set top box through a digital interface.

Support for creating digital transport stream packets being received from a set top box through a digital interface can be found in the specification, for example, on page 7, lines 20-31. See also FIG 4.

Applicants respectfully submit that the combinations of method steps and elements as set forth in independent claims 1, 7, 8, 9, 10, 12, and 16 are not disclosed or made obvious by the prior art of record, including Cloutier.

Applicants respectfully submit that Cloutier is merely directed to correcting jitter in an ATM network, and is silent concerning creating digital transport stream packets being received from a set top box through a digital interface.

Thus, the Applicants respectfully submit that the combinations of method steps and elements as set forth in independent claims 1, 7, 8, 9, 10, 12, and 16 are not disclosed or made obvious by the prior art of record, including Cloutier, for the reasons explained above. Therefore, claims 1, 7, 8, 9, 10, 12, and 16 are in condition for allowance.

The Examiner will note that dependent claim 20 is added to set forth additional features of the present invention, and the other dependent claims are amended to place them in a form more typical of U.S. practice

Further, the Applicants respectfully submit that dependent claims 2-6, 13-15, and 17-20 are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel limitations set forth therein.

Therefore, all claims of the present application are in condition for allowance, and reconsideration and withdrawal of the rejections under 35 U.S.C. §102(e) and §103(a) are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

Application No. 09/410,751
Amendment dated December 11, 2003
Reply to Office Action of September 11, 2003

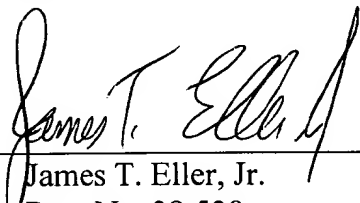
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If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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Attachment: Two sheets of revised formal drawings